

CONSTITUTION

ARTICLE I - NAME

This organization shall be known as Durham Division, District 13, OSSTF

ARTICLE II - OBJECTS

The objects of this District shall be as specified in Article 3 of the Provincial OSSTF Constitution.

ARTICLE III -MEMBERSHIP

Membership shall be as designated according to the Provincial OSSTF Constitution & Bylaws.

ARTICLE IV - FUNDS

SECTION 1 District will function using the rebate allotted from the Provincial organization for expenses entailed in carrying on District business.

SECTION 2 At the discretion of the Executive, charges for special activities will be set, each case being treated individually.

SECTION 3 By a three-quarters majority vote of the Members present, qualified to vote and voting, at a District Annual Meeting, special fees may be levied from time to time to finance specified projects, each case being treated individually.

SECTION 4 Annual rebates, as prescribed in the Bylaws will be paid to each Branch in the District upon receipt of that Branch's financial report.

SECTION 5 Resolutions which if adopted would require the expenditure of any District funds must be submitted to the District Resolutions Committee Chairperson two weeks prior to the District Annual Meeting.

SECTION 6 The District may establish such special accounts as it deems necessary.

SECTION 7 At the District Annual Meeting each year, auditors will be appointed by motion.

ARTICLE V - ORGANIZATION

SECTION 1 This District organization shall consist of those Members covered by Article III of this Constitution.

SECTION 2 There shall be a District Executive consisting of:

- a) Voting Members as follows:

- i) the President
 - ii) four Vice Presidents
 - iii) the Secretary-Treasurer, or Secretary and Treasurer
 - iv) the Provincial Councillor(s)
 - v) the Chairpersons of Standing Committees
 - vi) Presidents of other bargaining units
- ii) Non-voting Members as follows:
- a) the Executive Officer(s).

SECTION 3 There shall be a District Council consisting of:

- a) the District Executive
- b) the Presidents of the Branches, or their alternates
- c) Delegates to the Provincial Assembly
- d) any Members of District 13 who are members of the Provincial Executive, Provincial Standing Committees or Councils or O.T.F. Board of Governors.

SECTION 4 There shall be a District Annual Meeting, Membership as determined by the Bylaws.

SECTION 5 The District shall provide for the election or appointment of officers and committees as specified in the Bylaws.

ARTICLE VI - PERMANENT TEACHERS BARGAINING UNIT ORGANIZATION

SECTION 1 The Permanent Teachers' Bargaining Unit shall consist of the dues-paying members of that bargaining unit.

SECTION 2 There shall be a Permanent Teachers' Bargaining Unit Executive consisting of the members of the District Executive who are also members of the Permanent Teachers Bargaining Unit.

ARTICLE VII - BRANCH ORGANIZATION

SECTION 1 The members of a Branch shall be as defined in the Bylaws.

SECTION 2 There shall be a Branch Executive consisting of the Immediate Past President, the President, the Vice President or Vice Presidents, the Secretary-Treasurer or Secretary and Treasurer, two Collective Bargaining Committee representatives, and a representative for each other standing committee in the District.

SECTION 3 The Branch shall provide for:

- a) the annual election of the Branch President

- b) the annual election of other members of the Branch Executive
- c) the transaction of Branch business in accordance with Branch Bylaws provided that such Bylaws do not contravene OSSTF Provincial or District 13 Constitution or Bylaws.

ARTICLE VIII - BYLAWS

The Annual Meeting of the District may pass Bylaws not inconsistent with the District 13 Constitution or the Constitution & Bylaws of Provincial OSSTF concerning:

- a) the procedure for the election of District Officer(s), Provincial Councillor(s) and Delegates to the Provincial Assembly
- b) the formation of Branch organizations
- c) the management of its property and its own internal organization and administration
- d) the time, place and conduct of the Annual and other meetings of the District
- e) all other matters as are deemed necessary or convenient for the promotion of the welfare of the Members or the conduct of the business of the District.

ARTICLE IX - AMENDMENTS

SECTION 1 Amendments to this Constitution may be made at the Annual Meeting of the District by a two-thirds vote of the Members present, qualified to vote and voting, provided that:

- a) written notice of the proposed amendment shall have been given to the District Secretary not less than seven weeks prior to the next District Annual Meeting.
- b) such notice shall have been forwarded at least five weeks in advance of the next Annual Meeting by the District Secretary to the Branch Secretaries who shall submit the proposed amendment to the next Branch Meeting.
- c) If either section a) or b) above are not met, amendments to this constitution will be deemed late and require a 9/10 majority vote at the District Annual Meeting.

SECTION 2 If a resolution at the District Annual Meeting is deemed to require constitutional

amendment to be in order, such resolutions shall be accepted as notice of motion to the next District Annual Meeting for the amendment deemed to be required.

BYLAWS

BYLAW I - BRANCHES

SECTION 1 A branch shall consist of the Permanent Teacher and/or credit granting Continuing Education teacher members of OSSTF in one school. All Permanent Teachers employed by the Durham District School Board and providing educational programs for clients of Government Care, Treatment, and Correctional facilities shall belong to a Grove Branch. All other Permanent Teacher members of OSSTF employed by the Durham District School Board but not attached to a specific school shall belong to a separate Branch known as Branch 18. All members of the Occasional Teachers' Bargaining Unit of District 13, OSSTF shall belong to a separate branch known as the Occasional Teachers' Branch.

SECTION 2 Each Branch shall provide the names of its Executive for the coming year to the District Secretary no later than June 15th.

SECTION 3 a) The Annual Rebate to each Branch shall not be more than \$3.00 per F.T.E. member.

b) Rebates within the amount indicated in (a) may be applied for any time during the fiscal year.

c) To be eligible for a rebate a Branch must:

- (i) submit a financial statement for the previous year, signed by the Branch President and Treasurer;
- (ii) have a balance on hand which is less than \$3.00 per F.T.E. member;
- (iii) provide documentation of valid Branch expenditures to the amount requested.
- (iv) All expenditures of Branch rebate money must be endorsed by a majority vote of Branch members conducted at a Branch meeting.

BYLAW II - MEETINGS

SECTION 1 a) The District Executive shall meet at the call of the District President or at the written request of two Members of the District Executive.

- b) A quorum for meetings of the District Executive shall be fifty percent of those qualified to vote at such meetings; this shall include at least three (3) of the President, Vice Presidents, Secretary, Treasurer, and Provincial Councillor(s).

SECTION 2 a) The District Council shall have fall, winter and spring meetings, and shall meet at such other times as may be determined by the District Executive, the District Annual Meeting, or the District Council.

- b) A quorum for meetings of the District Council shall be fifty percent of the members of the District 13 Council, provided that there are members present from at least fifty percent of the Branches.

SECTION 3 The District Annual Meeting shall be held in time to permit the newly elected executive to prepare to take office at the prescribed time.

SECTION 4 District mass meetings other than the District Annual Meeting may be called at any time at the discretion of the District Executive of District Council, except in the case of a strike vote conducted at a mass meeting, the results of which are binding. The purpose of such meetings can be consultative, but not legislative; any decision on matters discussed at these meetings to be taken by referendum at the Branch level.

SECTION 5 A District Committee shall meet at such times as its Chairperson shall direct, or at the discretion of the District Executive.

SECTION 6 a) The Membership of the District Annual Meeting shall consist of all Members of OSSTF employed within the boundaries of the District and in attendance at the District Annual Meeting.

- b) A quorum for the District Annual Meeting shall be those members in attendance at the District Annual Meeting when any vote is taken.

BYLAW III - STANDING COMMITTEES

SECTION 1 There shall be the following District Standing Committees:

- a) Collective Bargaining
- b) Health and Safety
- c) Communications
- d) Public Relations
- e) Educational/Political Action
- f) Professional Development
- g) Human Rights/Gay-Straight Alliance

SECTION 2 Members of these committees shall be elected or appointed at the Branch level.

SECTION 3 a) The District Executive shall appoint or arrange for the appointment or election of the Chairpersons of Standing Committees.

b) These appointments are for one year terms, renewable by the District Executive.

SECTION 4 The Chairpersons of the District Standing Committees shall be considered as full Members of the Executive at all Executive Meetings. Where the position of chairperson is shared by two or more people, any or all may attend Executive Meetings, but only one representative of a committee may vote.

SECTION 5 The District Executive may appoint one of its members to each Standing Committee. This Executive representative shall then be a voting member of the Committee to which he or she is appointed. The representative shall be selected from the Federation officers elected or appointed as a result of the District Annual Meeting.

BYLAW IV - NOMINATION AND ELECTION PROCEDURES

SECTION 1 At the District Annual Meeting, elections shall be held for the President, Vice Presidents, Secretary-Treasurer or Secretary and Treasurer, Provincial Councillor(s) and Delegates to the Provincial Assembly, the number of the last being determined by the Constitution and Bylaws of the OSSTF.

SECTION 2 Any Active Member of OSSTF District 13 is eligible for any elected position. A candidate may be nominated for more than one office.

SECTION 3 a) A nominating committee, appointed by the District Executive shall prepare a list of nominees for all open elected offices for presentation to the District Annual Meeting.

b) This committee will accept, with the consent of the nominee, any nominations for office signed by at least two Members of District 13, OSSTF up to three weeks prior to the District Annual Meeting.

c) The committee will forward the list of nominees to the District Secretary no later than two weeks prior to the District Annual Meeting.

d) The Secretary will in turn forward to the Branch Presidents the list of nominees no later than one week prior to the District Annual Meeting.

e) It is the duty of each Branch President to ensure that the Membership of his or her Branch is aware of these nominations.

f) Nothing in the above clauses shall be construed as preventing nominations for any position from the floor of the District Annual Meeting, provided the consent of the nominee is obtained in person or in writing.

SECTION 4 Campaign Rules

- a) Candidates for elected positions may only distribute copies of a single information sheet or pamphlet to each school not earlier than 3 weeks prior to the District Annual Meeting.
- b) Each candidate may place only information sheets or pamphlets on the tables at the District Annual Meeting. Each information sheet or pamphlet may not exceed 8.5" x 11" and may include photographs and information about the candidate.
- c) Candidates may publish an advertisement in the April issue of the District newsletter in accordance with newsletter rules and deadlines. Ad size maximums are a full page for President, half page for Vice-President and quarter page for all other elected positions.
- e) If an all-candidates meeting is held, all candidates must be invited to attend. Such a meeting must be held at a time that is outside of the regular school day. Rules for the all-candidates meeting will be provided by the Nomination Committee to the candidates at least one week in advance of the meeting and must include the opportunity for opening and closing statements from all candidates as well as a question and answer session where each candidate has the opportunity to respond.
- f) Attendance at all-candidates meetings is restricted only to members of O.S.S.T.F. District 13.
- g) Candidates may only visit schools at times that are outside of the regular school day.

SECTION 5

- a) The election for President will be held near the beginning of the meeting. When three or more candidates are running for the office of President, or any other single office, the voter will rank the candidates in order of preference, 1,2,3, etc. and the ballots will be counted as in the Australian Preferential Ballot, the candidate first gaining a majority of the votes cast being elected. As soon as the counting of the ballots for President is complete, the result will be announced. The defeated candidates for President can then agree or decline to have their names added to the list of nominees for Vice President.
- b) The election for four Vice Presidents will then be held. The voter will mark one, two, three or four candidates with no preference indicated. The candidate with the greatest number of votes shall be the First Vice President; the candidate with the second greatest number of votes shall be the Second Vice President, the candidate with the third greatest number of votes will be the Third Vice President and the candidate with the fourth greatest number of votes will be the Fourth Vice President. An election must be held to determine the order of office.
- c) A single ballot for all other officers will be held. Single offices will be

determined as for the President. Delegates to the Provincial Assembly will be determined in a similar way to the Vice Presidents, except that no ranking of delegates will result, the two successful candidates for Provincial Council will be automatically named as delegates and the number elected may vary from year to year.

- d) At the District Annual meeting, candidates for the office of President shall be allowed five (5) minutes to speak; candidates for the office of Vice-President shall be allowed three (3) minutes to speak; candidates for the positions of Provincial Councillor, Treasurer, and Secretary shall be allowed two (2) minutes to speak; candidates for the position of Delegate to the Provincial Assembly shall be allowed one (1) minute to speak.
- e) All elections shall be conducted by secret ballot
- f) Each candidate may name a scrutineer to observe the counting of the ballots.

SECTION 6 All terms of office shall be for one year from July 1 following the election.

SECTION 7 The President-elect shall be made a member (supernumerary) of the Executive immediately following his or her election.

SECTION 8 In the event that a District Executive position is held by an individual who is not a member of the Permanent Teachers' Bargaining Unit, the District Executive shall arrange for a separate election for the vacant bargaining unit executive position(s). This election shall be at a time and place and in a manner as determined by the District Executive.

BYLAW V - DUTIES

SECTION 1 It shall be the duty of the District President:

- a) to call and preside at all meetings of the District Executive, the District Council and other District Meetings;
- b) to maintain contact with all District work, and to be an ex-officio voting Member of each District Committee;
- c) to supervise the function of the District 13 Office;
- d) to act as Chairperson of the District Grievance Committee.
- e) to keep the Provincial Executive informed of federation activities within the District.
- f) to act as co-signing authority for District cheques

- g) to act as Education Issues / Political Action Co-Chair

SECTION 2 It shall be the duty of the first Vice President:

- a) to perform the duties of the District President in his/her absence, or at the President's request;
- b) to act as chairperson of the Resolutions Committee prior to and at the District Annual Meeting;
- c) upon Executive recommendation, to act as liaison with the Collective Bargaining Committee.
- d) to act as a member of the District Grievance Committee.

SECTION 3 It shall be the duty of the second Vice President:

- a) to perform the duties of the first Vice President in his/her absence;
- b) plus duties to be assigned by the collective will of the Executive. The collective will of the Executive will be decided by majority vote of the Executive.
- c) to act as a liaison to Durham Regional Labour Council.

SECTION 4 It shall be the duty of the third Vice President:

- a) to perform the duties of the second Vice President in his/her absence;
- b) plus duties to be assigned by the collective will of the Executive. The collective will of the Executive will be decided by majority vote of the Executive.
- c) to act as a liaison to the Provincial Human Rights Committee.

SECTION 5 It shall be the duty of the fourth Vice President:

- a) to perform the duties of the third Vice President in his/her absence;
- b) plus duties to be assigned by the collective will of the Executive. The collective will of the Executive will be decided by majority vote of the Executive.
- c) to act as a liaison to the Provincial Status of Women Committee.

SECTION 6 It shall be the duty of the District Secretary:

- a) to record all minutes;

- b) to supervise the receipt, answering and keeping of all correspondence;
- c) to keep or cause to be kept all records of District and Executive minutes;
- d) to forward or cause to be forwarded those resolutions and recommendations of the District which should be brought to the attention of the Provincial Federation;
- e) to act as co-signing authority for District cheques

SECTION 7 It shall be the duty of the District Treasurer:

- a) to keep or cause to be kept an accounting of all monies received and disbursed according to the appropriate accounting procedures of the Provincial OSSTF;
- b) to deposit or cause to be deposited all monies received in a chartered bank or trust company in the name of Durham Division, District 13, OSSTF;
- c) to issue receipts for all monies received;
- d) to submit a financial statement, at least quarterly, to the District Executive or District Council for approval;
- e) to pay all authorized accounts by cheque in accordance with the Bylaws of the District;
- f) to present annually to the District, a detailed and duly audited financial statement for the preceding fiscal year, and a proposed budget for the following year;
- g) to establish a petty cash fund for the use of the District 13 Office not to exceed two hundred dollars (\$200.00);
- h) to act as co-signing authority for District cheques

SECTION 8 It shall be the duty of the District 13 Executive:

- a) to promote within the District the objects of the OSSTF Constitution;
- b) to meet before all District meetings and at other times at the call of the President or at the written request of two or more Members of the Executive;
- c) to appoint or arrange for the annual appointment or election of a chairperson and/or vice chairperson of standing committees, and to provide for such other committees as from time to time may be deemed necessary;

- d) to make arrangements for meetings of the District Council and District Membership;
- e) to report to the District Members at their Annual Meeting;
- f) to give full consideration to any recommendation from the District Council;
- g) to carry out the instructions of the District Annual Meeting;
- h) to instruct the District Provincial Councillors and delegates on matters to come before the Provincial Council and Provincial Assembly;
- i) to deal with matters which, in its opinion, require action between meetings of the District Membership and District Council;
- j) to keep the District Members informed of its activities;
- k) to appoint a successor to complete the unexpired term of anyone elected or appointed to the District, except those Members of the District Executive holding positions which are normally filled through elections at the District Annual Meeting, provided that the unexpired term does not extend beyond the next District Annual Meeting;
- l) to appoint Alternate Delegates and substitutes for District 13 representatives or Delegates who are unable to act;
- m) to authorize payment of expenses and accounts incurred in the conduct of approved business of the District;
- n) to inform the Provincial Executive of any alleged unprofessional conduct within the District;
- o) to inform the Provincial Executive of any matter adversely affecting the welfare of the federation or one or more of its Members;
- p) to refer to the Provincial Executive or its representatives all questions requiring legal advice;
- q) to appoint Executive Officers in accordance with BYLAW IX;
- r) to ensure that the District 13 Anti-Harassment and Anti-Bullying Policy and Procedure is followed at all OSSTF District 13 workplaces, meetings and functions.
- s) to ensure the appointment or election of a Branch President to represent OSSTF at each school in accordance with the duties of a branch president.

SECTION 9 It shall be the duty of District Council:

- a) to receive and pass upon reports from the District Executive and District Committees;
- b) to advise the District Executive on any matter of concern to the District Membership;
- c) to instruct the District Executive on policy decisions provided:
 - (i) no previous policy on the matter has been determined by the District;
 - (ii) the policy resolution carries at a District council meeting by a two thirds majority of those Members present qualified to vote and voting;
 - (iii) the policy resolution is to be presented to the next District Annual meeting for approval or rejection;
- d) to elect an individual to complete the unexpired term of any Executive Member who is unable to complete his/her term of office, provided, except in the case of the District President, that such unexpired term is at least two months.

SECTION 10 It shall be the duty of the Branch President:

- a) to be a visible OSSTF resource to Members at her/his Branch;
- b) to aid Branch members, in consultation with the District office, in dealings with the principal;
- c) to keep Branch members informed of ongoing programs and new initiative from the District and Provincial levels of OSTF;
- d) to keep District Council and District Executive informed about the questions, concerns and initiatives arising from the Branch;
- e) to carry out the duties associated with the In-School Workload Review Committee;
- f) to ensure that the Membership at her/his Branch is aware of any nominees for elected office known in advance of the District Annual Meeting.

SECTION 11 It shall be the duty of the District Membership at its Annual Meeting:

- a) to elect the President, Vice Presidents, Secretary-Treasurer or Secretary and Treasurer, Provincial Councillor(s) and Delegates to the Provincial Annual Assembly;

- b) to receive and pass upon any communication and reports of District Officers, Auditors and Committees;
- c) to receive and pass upon any communications and resolutions from the Branches of the District;
- d) to receive and pass upon communications and reports from OSSTF and O.T.F.;
- e) to determine the action to be taken in regard to the reports received and to instruct the Executive and committees thereon;
- f) to consider matters of general interest to education as they affect OSSTF and the District;
- g) to establish, amend, or rescind policy for the District.

SECTION 12 It shall be the duty of Chairpersons of District committees:

- a) to convene and direct the work of their committees in accordance with the instructions of the District Executive;
- b) to work in cooperation with the appropriate provincial bodies;
- c) to report to the District Annual Meeting and to the District Executive and District Council;
- d) to keep the Membership informed on matters affecting the welfare of the District;
- e) in the case of Standing Committees, to attend as full Members, or be represented at meetings of the District Executive and the District Council;
- f) to operate within their committee's allocated budget line;
- g) to bring a motion to District Executive for approval of an anticipated over-expenditure beyond the committee's budget line.

SECTION 13 It shall be the duty of Delegates to attend the annual meeting of the Provincial Assembly during their term of office.

SECTION 14 It shall be the duty of Provincial Councillors:

- a) to ensure that any District Council motion that is on-time and in order is moved at the Annual Meeting of the Provincial Assembly;
- b) act as delegates to the Provincial Assembly;

- c) to communicate with the District 13 Executive and delegates on matters to come before Provincial Council and Provincial Assembly.

SECTION 15 It shall be the duty of the Executive Officers:

- a) to take responsibility for negotiations and related matters, including but not limited to the surveying of the membership regarding educational issues, bargaining priorities, and preparing the negotiating brief;
- b) to take responsibility for contract maintenance, including but not limited to the surveying of members regarding class size and workload;
- c) to assist members with matters related to leaves of absence, extended illness the benefits and Long Term Disability plans;
- d) to undertake District staff allocation responsibilities;
- e) act in the role of the certified worker(s) on the Joint Health and Safety Committee and liaise with the District Health and Safety Committee.

BYLAW VI - COLLECTIVE BARGAINING

SECTION 1 Negotiations for the purpose of making or renewing a Collective Agreement on behalf of the Members of District 13, OSSTF shall be conducted by a Collective Bargaining Team which shall consist of:

- a) The Chief Negotiator, who shall be the Chairperson of the Collective Bargaining Committee, and who shall be appointed by the District Executive;
- b) The Vice Chairperson, who shall also be the Vice Chairperson of the Collective Bargaining Committee, and who shall be appointed by the District Executive;
- c) A Statistician, co-opted by the team, who should, where feasible, be or become a Member of the Collective Bargaining Committee;
- d) A secretary, elected from the Collective Bargaining Committee;
- e) The President of District 13, OSSTF, ex-officio;
- f) One (1) Vice President of District 13, OSSTF appointed by the District Executive.

SECTION 2 The Collective Bargaining Committee shall consist of:

- a) the members of the Collective Bargaining Team;

- b) two elected representatives from each Branch;
- c) the immediate past Chairperson of the Collective Bargaining Committee.

SECTION 3 The Collective Bargaining Committee shall survey the Membership of District 13 to determine its priorities in negotiations, and the Collective Bargaining Team shall attempt to conduct negotiations in accordance with these priorities.

SECTION 4 The Collective Bargaining Committee must keep the Membership informed of the priorities it has determined and of the general progress of negotiations. Notwithstanding the above, or the provisions of these Bylaws regarding the duties of chairpersons, the Collective Bargaining Team, may decide, with the approval of the District Executive not to reveal some details, in order to facilitate negotiations.

SECTION 5 The Collective Bargaining Team may reach a tentative agreement or may tentatively agree to pursue a course of action, such as arbitration, but such tentative agreement or course of action must be ratified by Membership referendum; the Collective Bargaining Team has no power to commit the Membership absolutely.

- a) When the Collective Bargaining Team reaches a tentative agreement, the Collective Bargaining committee shall present the Membership with written details of such agreement with a recommendation for acceptance or rejection based upon a vote taken by up to three (3) members from each Branch constituted of the CBC Reps, and Branch President. In the case that a recommendation for acceptance or rejection cannot be made, written reasons for not making such a recommendation will be provided. Otherwise, a clearly worded ballot form will be provided.

Acceptance or rejection shall be by majority of the Members who vote, provided that reasonable effort is made to give every Member an opportunity to vote. In any case, voting must be completed not less than twenty-four hours nor more than seventy-two hours (Saturdays, Sundays and holidays excepted), after presentation to the Membership of the tentative agreement.

- b) When a course of action, such as arbitration, leading to an agreement is proposed, the Collective Bargaining Committee shall present the Membership with a summary of negotiations to that time, including agreements reached and a summary of differences between the parties on items agreed to, with its recommendations as to the proposed course of action and its reasons therefore, and with a ballot clearly stating the proposed course of action. Approval or rejection shall be as in (a), above.

SECTION 6 Any acceptance of a clause under the Benefits Plans Articles of the proposed Collective Agreement between District 13, OSSTF and The Durham District School Board must be communicated to the Members if it is the intent of the

Collective Bargaining Committee to reduce the amount of money allocated for the Benefits Plans to an amount of money that is less than the total benefits dollars in the current Collective Agreement.

SECTION 7 Negotiations for amendment of the collective agreement during the term of the collective agreement will be undertaken only with the authorization of the Bargaining Unit Executive. The Collective Bargaining Committee must ratify the amendment with a majority vote of those members present and voting at a Collective Bargaining Committee meeting in order for the amendment to have effect.

BYLAW VII - GRIEVANCE PROCEDURE

SECTION 1 There shall be a District Grievance Committee consisting of the following three members or their designates:

- a) The President of the District
- b) The Chairperson of the Collective Bargaining Committee
- c) The 1st Vice President

SECTION 2 The President of the District shall be the District Grievance Officer and shall act as Chairperson of the Grievance Committee

SECTION 3 In the event a member of the Grievance Committee is directly involved in a possible grievance, that person will be excused from the committee and an alternate from the District Executive will be appointed by the Grievance Committee to become the representative.

SECTION 4 The purpose of the Grievance Committee shall be to determine if an alleged grievance is actually a grievance and to resolve the grievance.

SECTION 5 Meetings of the Grievance Committee will be called by the Chairperson.

SECTION 6 Procedures for Alleged Grievances

- a) All alleged grievances directed to the Branch President shall be referred to the Grievance Officer immediately.
- b) The Branch President or another member of the Federation may assist the member in presenting the facts of the case to the Grievance Committee.
- c) The Grievance Committee will consider *in camera* whether the District will proceed with the grievance. All decisions of the Committee shall be by simple majority.
- d) The Grievance Officer shall inform the teacher and the District Executive of the decision of the Committee.

SECTION 7 A quorum for the Committee shall be two and the decision in this case shall be

unanimous.

SECTION 8 Grievance Appeals Committee

- a) The Grievance Appeals Committee shall consist of 5 members of the Executive who are not members of the Grievance Committee.
- b) The members of the Grievance Appeals Committee shall select one of their members to chair the meeting.
- c) A quorum for the Grievance Appeals Committee shall be three members and the decision in this case shall be unanimous.

SECTION 9 Procedures for the Grievance Appeals Committee

- a) The District member asking for an appeal of the decision of the District Grievance Committee will be invited to attend a meeting of the District Grievance Appeals Committee to present the case.
- b) The District member appealing the decision will have an opportunity to present the case with the assistance of an advisor who is a member of the District but is not a member of the Grievance Committee or the Grievance Appeals Committee.
- c) The District Grievance Officer/Committee will state the reasons for not carrying forward the grievance.
- d) The District member appealing the ruling of the Grievance Committee will have an opportunity to respond to the presentation of the Chairperson of the Grievance Committee.
- e) The Grievance Appeals Committee will consider the appeal *in camera* after both parties have been excused and will communicate its decision to the District member, the District Grievance Officer and the Executive as soon as possible.

BYLAW VIII - DISTRICT LEVY FEDERATION OFFICERS LEAVE AND SALARY

- #### SECTION 1
- a) The President of District 13, OSSTF shall be relieved of all teaching duties with no loss of salary, allowances, benefits, sick leave credits or seniority.
 - b) The Chief Negotiator of District 13, OSSTF shall be a 1.0 Executive Officer position and shall be relieved of teaching duties with no loss of salary, allowances, benefits, sick leave credits or seniority.
 - c) Total release time for other Executive Officer(s) of District 13, OSSTF shall not exceed 2 full time equivalent position. Each Executive Officer

shall be relieved of a specific amount of teaching time without loss of salary, allowances, benefits, sick leave credits or seniority.

SECTION 2 Permanent Teachers of District 13, OSSTF shall be assessed a levy not to exceed \$148.50 (one hundred and forty-eight and 50 cents) per year for full time Members. The levy for part time Members shall be 50% of the levy for full time Members.

SECTION 3 District 13 shall arrange with the Durham District School Board to collect this levy by payroll deduction in accordance with the collective agreement between the Durham District School Board and District 13, OSSTF.

SECTION 4 Monies collected through the levy shall be used to pay Federation Officers' salaries and benefits costs, as outlined in the collective agreement.

SECTION 5 If the monies collected through the levy exceed the amount required to pay for the District's share of salary and benefits for Federation Officers, then the District 13 Executive will determine the amount of the levy to be assessed for the following school year in accordance with Bylaw VIII, Sections 1 and 2.

BYLAW IX - EXECUTIVE OFFICERS HIRING AND WORKING CONDITIONS

SECTION 1 Procedures for Hiring Executive Offices

- a) A hiring team will be struck, composed of the President, and one Vice President and one other executive member appointed by the District Executive;
- b) a posting approved by the District Executive will be displayed at work sites for at least one week prior to closing;
- c) the hiring team may short-list candidates to be interviewed;
- d) the hiring team will make a recommendation to the District Executive, which must be ratified by the District Executive to take effect;
- e) where it is known that there will be a vacant Executive Officer position for the next school year, hiring shall be conducted between the District Annual Meeting and the end of June of the current school year. A vacancy at another time will be filled on an interim basis, through appointment by the District Executive, until the end of that school year.

SECTION 2 Conditions of work for Executive Officers

- a) Executive Officer positions shall be 0.5 full time equivalent which may be hired separately or combined, at the discretion of the District Executive, such that no person shall be assigned more than 1.0 full time equivalency;
- b) termination of an Executive Officer's appointment shall be for just cause,

as determined by the District Executive;

- c) a terminated Executive Officer shall be paid on leave until an appropriate opportunity arises to return to regular bargaining unit work.

BYLAW X - DISTRICT 13 BUILDING AND CAPITAL FUND

SECTION 1 Capital from the District 13 Building Fund shall be used for major costs necessitated by the purchase and/or renovations of office space for the use of District 13 OSSTF.

SECTION 2 Any monies expended from this fund shall be approved by District Executive and such approval reported to District Council.

BYLAW XI - DISTRICT 13 EMPLOYEE SEVERANCE GRATUITY FUND

SECTION 1 Funds from the District 13 Employee Severance Gratuity Fund shall be used to pay employees a gratuity on leaving the employ of District 13, OSSTF.

SECTION 2 The gratuity paid shall be as outlined in the current *Agreement on Salary, Benefits and Conditions of Work* of the employees of District 13, OSSTF. It is understood that only those employees of District 13 OSSTF who do not accrue gratuity credits with The Durham District School Board are eligible for this severance gratuity.

SECTION 3 The payout to an employee will be 2% for every complete year of employment with District 13, OSSTF to a maximum of 50% of the annual salary of the employee at the time of leaving the employ of District 13, OSSTF.

SECTION 4 a) On June 30th of each year, an amount equaling the accrued percentage of the total annual salaries of eligible employees in effect for that current fiscal year shall be added to the District 13 Employee Severance Gratuity Fund.

- b) On June 30th of each year, if the balance of the District 13 Employee Severance Gratuity Fund exceeds the maximum payout to eligible employees, excess funds shall be transferred to the general operating funds of District 13, OSSTF.

BYLAW XII - PROCEDURE

- SECTION 1 a) Meetings of the District shall be conducted according to an agenda which must be approved as the first item of business after the meeting is called to order.
- b) This agenda must include:
- (i) at the first meeting of the school year, and then at the discretion of the chairperson, the reading of the OSSTF Pledge;
 - (ii) minutes of the previous meeting and business arising therefrom;
 - (iii) appointment of necessary temporary committees;
 - (iv) reports of President and Treasurer;
 - (v) reports of committees;
 - (vi) Branch resolutions;
 - (vii) provision for any new business.
- SECTION 2 a) Any resolution on the floor, by a time to be specified at the beginning of the resolutions period of the Annual Meeting, is to be voted on at that time and all remaining resolutions are to be referred to the District Council for further action.
- b) If mover and seconder, or their appointed spokesperson, are not present the motion will be dropped.
- c) Each Member may speak to a resolution once, with the exception of the mover, who may speak at the beginning and at the conclusion of discussion.
- SECTION 3 The regular order of business may be suspended by a two thirds vote of those present, qualified to vote and voting.
- SECTION 4 Questions not covered in the District 13 Constitution and District 13 Bylaws shall be determined by reference to the Rules of Order determined by OSSTF under Provincial Bylaw 25, OSSTF Handbook for the current year.

BYLAW XIII - POLICY

- SECTION 1 District 13, OSSTF Policy shall be defined in the same manner as is policy in the Constitution and Bylaws of District 13, OSSTF.
- SECTION 2 District 13 Policy shall have the same status within District 13 as OSSTF Policy

has within OSSTF.

SECTION 3 District 13 Policy may be established, amended or rescinded by the Membership at the District Annual Meeting under the same conditions as provided in these Bylaws for amendments to the Bylaws.

SECTION 4 The District 13 Council may establish interim policy as provided in the Duties of District Council. Such interim policy shall exist until the District Annual Meeting immediately following the passage of such interim policy and during that period of time shall have the same status as policy passed at the District Annual Meeting.

SECTION 5 A record of District 13, OSSTF Policy shall be kept with the Constitution and Bylaws of District 13, OSSTF

BYLAW XIV - AMENDMENTS TO THE BYLAWS

SECTION 1 Amendments to these Bylaws may be made at the District Annual Meeting:

- a) by a majority vote of those Members present, qualified to vote and voting provided that:
 - (i) written notice of the proposed amendment shall have been given to the District Secretary not less than six weeks prior to the next District Annual Meeting;
 - (ii) such notice shall have been forwarded at least one month in advance of the next District Annual Meeting by the District Secretary to the Branch Secretaries who shall submit the proposed amendment to the next Branch meeting;
- b) by a three quarters vote of those present, qualified to vote and voting, previous notice as in a) not having been given.

SECTION 2 If any plan is proposed to District 13, OSSTF to restructure the term of office of the District Executive, and/or to provide District Officer(s) with time off from regular school duties with remuneration from District 13, OSSTF funds, such proposal must be submitted to a Membership referendum or a District Annual Meeting, requiring a two thirds majority of those qualified to vote and voting, prior to implementation. Should this proposal be submitted to a District Annual Meeting, the essentials of the plan must have been communicated to the Branch Presidents no less than one month prior to the Annual Meeting.

DISTRICT 13 OSSTF POLICY

1. It is the policy of District 13 OSSTF that the separate identity of District 13 OSSTF should be maintained when there is liaison with other O.T.F. affiliates.
2. It is the policy of District 13 OSSTF that any further development of standardized testing in Durham Secondary Schools be done only after consultation with and the approval of the teachers of District 13 OSSTF
3. It is the policy of District 13 OSSTF that department headships should not be term appointments.
4. It is the Policy of District 13 OSSTF that members of District 13 OSSTF refuse to participate in The Durham District School Board job shadowing program until supply teacher coverage for classroom teachers participating in the program is re-established.
5. It is the Policy of District 13 OSSTF that the membership of District 13 support initiatives to retain existing staffing levels by encouraging, whenever possible, students in Durham Secondary Schools to maintain full time equivalency status as defined by the Ministry of Education.
6. It is the policy of District 13 OSSTF that all secondary schools should institute a parental involvement model that uses a graduated return of students with parents by grade level in the first week of school.
7. It is the policy of District 13 OSSTF that the addition of portable classrooms to schools be opposed. If portables are used temporarily a covered walkway should be installed to attach them to the main building and to each other.
8. It is the policy of District 13 to support a scent-reduced environment both in the workplace and at all OSSTF meetings and functions.

District 13, OSSTF Constitution, Bylaws & Policy

2010/2011 Constitution